

PAGE NO.	TYPE OF ARREST	ARREST # 14-0499	BOOKING NO.	DR. NO.
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DEFENDANT	DOB	ARREST CODE	DATE	TIME
MILTON, GERALD ARREST # 14-0499	02-24-1963	602 PC 242 PC	05-17-14	1340

OFFICER 1:	D. CARRASQUILLO #135
OFFICER 2:	J. ROSALES #115
OFFICER 3:	A. COX #133

SOURCE OF ACTIVITY:

THE ABOVE OFFICERS WERE WORKING AS CONTRACTED, UNIFORMED SECURITY OFFICERS FOR THE HOLLYWOOD BUSINESS IMPROVEMENT DISTRICT / ANDREWS INTERNATIONAL 6801 HOLLYWOOD BLVD #169 LOS ANGELES, CA 90028 (323) 465-0122.

INVESTIGATION:

WHILE WE WERE CONDUCTING BUSINESS CHECKS OF THE SHOPPING CENTER LOCATED 6051 GOWER STREET THE FOLLOWING OCCURRED: I (D. CARRASQUILLO) HAD ESTABLISHED CONTACT WITH SALES ASSOCIATE GABRIELA VAQUELANO (DOB 08-29-94), WHO STATED THAT EVERYTHING WAS OKAY INSIDE OF THE STORE (7-ELEVEN SUITE #111). I WALKED TO A NEIGHBORING STORE AND WITHIN 30 SECONDS I WAS CONTACTED BY THE MANAGER OF 7-ELEVEN, VICTIM HOUS, SAM HAFEZ (05/14/80).

VICTIM HOUS STATEMENT:

VICTIM HOUS STATED THAT A MAN INSIDE THE STORE HAD JUST BATTERED ONE OF HIS EMPLOYEES, LATER IDENTIFIED AS VICTIM BEARD, CEDRIC ERIC CLYDE (10/08/83).

VICTIM HOUS STATED THAT A MALE WHITE ADULT, LATER IDENTIFIED AS SUSPECT MILTON, GERALD (2/24/63) HAD PUSHED VICTIM BEARD, AFTER HE DEMANDED TO BE ALLOWED TO USE THE RESTROOM. VICTIM HOUS STATED THAT THE RESTROOM WAS NOT FOR PUBLIC USE AND DID

PAGE NO.	TYPE OF ARREST	ARREST # 14-0499	BOOKING NO.	DR. NO.
----------	----------------	------------------	-------------	---------

NOT GIVE SUSPECT MILTON PERMISSION TO ENTER THE RESTROOM. AT THAT MOMENT, SUSPECT MILTON WALKED OUT OF THE STORE, AND VICTIM HOUS POINTED AT HIM AND STATED THAT HE WANTED HIM ARRESTED FOR THE BATTERY AND FOR TRESPASSING. WE THEN SEPARATED BOTH PARTIES AS OFFICER ROSALES AND COX SPOKE TO THE VICTIMS INSIDE OF THE STORE AND I SPOKE TO SUSPECT MILTON OUTSIDE.

OFFICER ROSALES LATER RELATED TO ME THE FOLLOWING: OFFICER ROSALES ADVISED ME THAT VICTIM HOUS STATED THAT ONCE SUSPECT MILTON WAS ASKED TO LEAVE THE STORE (DUE TO HIS DEMANDING TO USE THE RESTROOM), HE PHYSICALLY BATTERED VICTIM BEARD. VICTIM HOUS THEN FLAGGED DOWN BID OFFICERS TO HAVE THE SUSPECT ARREST FOR THE LISTED CRIMES.

VICTIM BEARD'S STATEMENT:

I (CARRASQUILLO) INTERVIEWED VICTIM BEARD AS HE STATED THE FOLLOWING IN SUBSTANCE: VICTIM BEARD STATED THAT HE WAS WORKING ON HIS FIRST DAY AT 7-ELEVEN, WHEN HE SAW SUSPECT MILTON WALK INTO THE STORE, WHO ASKED TO USE THE RESTROOM. VICTIM BEARD THEN ADVISED SUSPECT MILTON THAT THE RESTROOMS WERE NOT OPEN TO THE PUBLIC. SUSPECT MILTON THEN ATTEMPTED TO FORCE HIS WAY INTO THE RESTROOM, BUT VICTIM BEARD STOOD HIS GROUND AND AGAIN TOLD SUSPECT MILTON THAT THE RESTROOMS WERE NOT OPEN TO THE PUBLIC. THAT HE COULD USE THE RESTROOM AT A LOCAL BAR DOWN THE STREET.

SUSPECT MILTON BECAME AGITATED AND CALLED HIM A "FUCKING MONKEY" AND DEMANDED TO LET HIM USE THE RESTROOM. SUSPECT MILTON THEN LOWERED HIS PANTS AS IF HE WAS GOING TO URINATE AND DEFECATE ON THE FLOOR AND WAS TOLD TO LEAVE THE STORE. SUSPECT MILTON PULLED HIS PANTS BACK UP AND WALKED OUT OF THE STORE. SUSPECT MILTON IMMEDIATELY RETURNED INSIDE THE STORE AND AGAIN DEMANDED TO BE ALLOWED TO USE THE RESTROOM. HE THEN ADVANCED TOWARDS VICTIM BEARD AND PUSHED HIM ON HIS SHOULDERS AND CHEST AREA. PUSHING HIM BACK TO THE BATHROOM DOOR. VICTIM BEARD STATED THAT HE DEFENDED HIMSELF AND PUSHED BACK, BUT RESTRAINED HIMSELF, FOR HE DID NOT WISH TO HARM SUSPECT BEARD.

TO AVOID ANY FURTHER PHYSICAL ALTERCATION, SUSPECT MILTON WAS RELUCTANTLY ALLOWED TO USE THE RESTROOM. VICTIM BEARD THEN STATED THAT WE ARRIVED SHORTLY AFTER WHILE SUSPECT MILTON WAS STILL INSIDE THE RESTROOM.

PAGE NO.	TYPE OF ARREST	ARREST # 14-0499	BOOKING NO.	DR. NO.
----------	----------------	------------------	-------------	---------

WITNESS VAQUERANO STATEMENT:

I (CARRASQUILLO) INTERVIEWED WITNESS VAQUERANO, GABRIELA (08/29/94), WHO STATED THE FOLLOWING IN SUBSTANCE: WITNESS VAQUERANO STATED THAT SHE WAS WORKING AS A SALES ASSOCIATE AT THE LISTED LOCATION. WITNESS VAQUERANO SAW SUSPECT MILTON WALK INSIDE THE STORE AND DEMANDED TO USE THE RESTROOM. WITNESS VAQUERANO SAW VICTIM BEARD ADVISE SUSPECT MILTON THAT THE RESTROOMS WERE NOT OPEN TO THE GENERAL PUBLIC. SUSPECT MILTON WAS YELLING AND DEMANDED TO BE ALLOWED TO USE THE RESTROOM. SUSPECT MILTON THEN LOWERED HIS PANTS AND WAS ASKED BY ALL TO PLEASE LEAVE. SUSPECT MILTON WALKED OUT AND IMMEDIATELY WALKED BACK INSIDE AND AGAIN DEMANDED TO BE LET ACCESS TO THE BATHROOM.

WITNESS VAQUERANO WENT ON TO SAY THAT SUSPECT MILTON BECAME UPSET AND PUSHED VICTIM BEARD IN THE CHEST AREA. AT THIS POINT THEY JUST AGREED TO ALLOW HIM TO USE THE RESTROOM TO AVOID ANY FURTHER PUSHING.

SUSPECT MILTON'S STATEMENT AND ARREST:

I (CARRASQUILLO) CONTACTED SUSPECT MILTON IN FRONT OF 7-ELEVEN. HE IMMEDIATELY BECAME UNCOOPERATIVE. I ASKED HIM TO PLEASE CALM DOWN AND TO TELL ME HIS SIDE OF THE STORY. HE THEN STATED THAT HE WAS BEING DISCRIMINATED BY EVERYONE INCLUDING THE "BID." HE WENT ON TO SAY THAT 7-ELEVEN WOULD NOT LET HIM USE THE BATHROOM AND THAT THEY WERE VIOLATING HIS CIVIL RIGHTS. AS SUSPECT MILTON SPOKE, HE WOULD CONSTANTLY SPIT. HE CONTINUED TO BECOME VERY UPSET AS HE YELLED AND STARTED SMOKING A CIGARETTE. IT SHOULD BE NOTED THAT SUSPECT MILTON HAD A STRONG ORDER OF ALCOHOL EMITTING FROM HIS BODY AND BREATH.

OFFICER ROSALES THEN EXITED THE STORE AND ADVISED ME AND OFFICER COX WHO EXITED THE STORE TO ASSIST ME, THAT SUSPECT MILTON HAD BATTERED VICTIM BEARD AND VICTIM HOUS WANTED TO PRESS CHARGES FOR TRESPASSING AND BOTH WERE WILLING TO SIGN THE PRIVATE PERSONS ARREST FORMS. BASED ON THIS INFORMATION, I ASKED SUSPECT MILTON TO CALM DOWN FOR HE WAS BEING ARRESTED UNDER PRIVATE PERSONS ARREST, AND WAS TOLD TO TURN AROUND AND PLACE HIS HANDS BEHIND HIS BACK.

SUSPECT MILTON REFUSED TO COMPLY WITH OUR REQUEST, SO OFFICER COX AND I GAINED CONTROL OF HIS ARMS AND HANDS, AND USED OUR PHYSICAL STRENGTH TO PLACE HANDCUFFS ON SUSPECT

PAGE NO.	TYPE OF ARREST	ARREST # 14-0499	BOOKING NO.	DR. NO.
----------	----------------	------------------	-------------	---------

MILTON, WITHOUT ANY USE OF FORCE OR FURTHER INCIDENT. SUSPECT MILTON REFUSED TO EXTINGUISHED THE CIGARETTE THAT HE WAS SMOKING, AND FOR OUR SAFETY, I GRABBED IT AND EXTINGUISHED IT ON THE GROUND.

ARREST:

THE DEFENDANT WAS PLACED UNDER PRIVATE PERSONS ARREST **POWERS GRANTED UNDER 837 P.C. / 602 - TRESPASSING, 242 - BATTERY.**

BOOKING:

THE DEFENDANT WAS THEN TRANSPORTED BY LAPD OFFICERS MEDINA #39453 AND ANAYA #40012 AND BOOKED AT LAPD HOLLYWOOD DIVISION UNDER INCIDENT #142533, WITH THE APPROVAL OF WATCH COMMANDER LEGASPI. IT SHOULD BE NOTED THAT UPON FURTHER LAPD INVESTIGATION, THAT THEY ADVISED US THAT VICTIM BEARD NO LONGER WISHED FURTHER PROSECUTION, FOR HE DID NOT WISH TO DEAL WITH THE JUDICIAL PROCESS OF GOING TO COURT. ADDITIONALLY, SUSPECT MILTON HAD AN ACTIVE WARRANT IN THE SYSTEM (C.L.E.T.S CALIFORNIA TELECOMMUNICATIONS SYSTEM) FOR 41.18 (D) LAMC - SITTING OR SLEEPING ON SIDEWALK.

EVIDENCE:

STORE MANAGER SAM HOUS ADVISED THAT HE WILL HAVE A COPY OF THE VIDEO RECORDING OF THE INCIDENT ON 5/20/14.

INJURY AND MEDICAL TREATMENT:

NONE OBSERVED OR COMPLAINED OF BY THE DEFENDANT.

PICTURES:

NONE

PAGE NO.	TYPE OF ARREST	ARREST # 14-0499	BOOKING NO.	DR. NO.
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